

**REMARKS****In the Claims**

Applicant has amended claims 1, 6 and 22 to address the rejections contained in the Office Action. Applicant has amended claim 8 to comport with the amendment of claim 6. Applicant contends that all amendments are supported by the application as originally filed and thus do not contain new matter.

**In the Specification (Title & Abstract)**

Applicant has amended the Title and Abstract to address the objections. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objections to the Title and Abstract. If the amendments are not satisfactory, Applicant requests the Examiner recommend specific changes to the Title and/or Abstract.

**Claim Rejections Under 35 U.S.C. § 112**

Claims 22-25 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

Claim 22 has been amended to overcome the rejection under 35 U.S.C. §112, second paragraph. Applicant believes the amendment to claim 22 further overcomes the rejection of claim 23-25. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, and allowance of claims 22-25.

**Set of claims 1-5****Claim Rejections Under 35 U.S.C. § 102**

Claims 1-3 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nitta et al. (U.S. Patent No. 6,784,054 B2).

Claim 1 is amended to recite, in part, “wherein the silicide layer formed on the word line is not limited by a width of the contact.” Applicant contends this is supported by at least Figures 1E-1G and supporting paragraphs 0024-0026 in that the silicide layer is formed on exposed

portions of the word line 125 as defined by removal of a cap layer 130 that is independent of adjacent contact layer 160. Applicant further contends that the silicide layer formed on the word line in Nitta et al. is defined by the contacts 115a and 115b, whose width defines the amount of the protective film 107h to remove. Thus, Nitta et al. cannot teach or suggest at least this limitation of claim 1. *See*, Nitta et al., Figures 6C-8B and supporting text.

As claims 2-3 and 5 depend from and further define patentably distinct claim 1, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 1-3 and 5.

*Claim Rejections Under 35 U.S.C. § 103*

Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nitta et al. in view of the Examiner's taking of official notice.

Applicant contends that it has shown claim 1 to be patentably distinct from the primary reference of Nitta et al. The official notice of facts outside the record fails to overcome the deficiencies of the primary reference. Accordingly, Applicant respectfully submits that the cited references, either alone or in combination, fail to teach or suggest each and every limitation of claim 1. As claim 4 depends from and further defines patentably distinct claim 1, this claim is also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claim 4.

*Set of claims 6-10*

*Claim Rejections Under 35 U.S.C. § 102*

Claims 6-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nitta et al.

Claim 6 is amended herein to recite, in part, "forming a layer of silicide on exposed portions of one or more word lines of the array, each word line extending to a plurality of columns of the array" and "wherein the exposed portions of the one or more word lines are independent of the contacts and interconnects." The exposed portion of the word line in Nitta et al. is defined by its contacts 115a and 115b. *See*, Nitta et al., Figures 6C-8B and supporting text. Thus, Nitta et al. cannot teach or suggest at least this limitation of claim 6.

As claims 7-9 depend from and further define patentably distinct claim 6, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 6-9.

Claim Rejections Under 35 U.S.C. § 103

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nitta et al. in view of the Examiner's taking of official notice.

Applicant contends that it has shown claim 6 to be patentably distinct from the primary reference of Nitta et al. The official notice of facts outside the record fails to overcome the deficiencies of the primary reference. Accordingly, Applicant respectfully submits that the cited references, either alone or in combination, fail to teach or suggest each and every limitation of claim 6. As claim 10 depends from and further defines patentably distinct claim 6, this claim is also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claim 10.

Set of claims 11-20

Claim Rejections Under 35 U.S.C. § 102

Claims 11-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nitta et al.

Claim 11 recites, in part, "removing the cap layer, thereby exposing the polysilicon control gate layer." The Office Action has identified protective film 107h of the Nitta et al. reference as corresponding to Applicant's cap layer. However, Nitta et al. does not purport to show removal of protective film 107h, but merely depicts forming an opening through a portion of that film. *See*, Nitta et al., column 9, lines 21-24 ("At this time, the portions of the topside protective film 107h exposed in the openings of the source and drain contacts 115a and 115b are also etched so that the surface of the control electrode 105c is exposed.") and Figure 7A. Applicant contends that the removal of this layer in claim 11 is patentably distinct from merely forming an opening in the layer in that the processes for defining the portion of removal are different, and the extents of coverage of the resulting silicide are also different.

As claims 12-20 depend from and further define patentably distinct claim 11, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 11-20.

**Set of claims 21-32**

**Claim Rejections Under 35 U.S.C. § 102**

Claims 21, 26-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nitta et al.

Claim 21 recites, in part, “removing the third dielectric layer, thereby exposing the second polysilicon layer.” For reasons discussed with respect to claim 11, Applicant contends that claim 21 is also patentably distinct from the cited reference in that Nitta et al. does not remove its protective layer 107h, but merely forms an opening therethrough.

As claims 26-30 depend from and further define patentably distinct claim 21, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and allowance of claims 21 and 26-30.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nitta et al. in view of the Examiner’s taking of official notice.

Applicant contends that it has shown claim 21 to be patentably distinct from the primary reference of Nitta et al. The official notice of facts outside the record fails to overcome the deficiencies of the primary reference. Accordingly, Applicant respectfully submits that the cited references, either alone or in combination, fail to teach or suggest each and every limitation of claim 21. As claims 31-32 depend from and further define patentably distinct claim 21, these claims are also believed to be allowable. Applicant thus respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a), and allowance of claims 31-32.

**RESPONSE TO NON-FINAL OFFICE ACTION**

Serial No. 10/602,324

Title: METHODS OF FORMING MEMORY CELLS HAVING SELF-ALIGNED SILICIDE (as amended)

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Attorney Docket No. 400.211US01

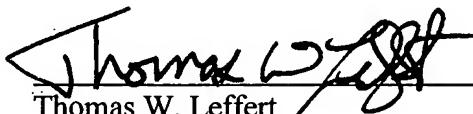
**CONCLUSION**

Claims 1, 6, 8 and 22 are amended herein. Claims 1-32 are now pending.

Applicant believes that all of the pending claims are in condition for allowance and respectfully requests a Notice of Allowance be issued in this case. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2204.

Respectfully submitted,

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